

Inv: 54-50-5015
Ube - 112-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Toshikazu Hamamoto et al.)
Application No.: 09/569,185) Group Art Unit: 1745
Filed: May 11, 2000) Examiner: Unknown
For: Non-aqueous Electrolyte and Lithium Secondary Battery Using the Same)

Commissioner for Patents
Washington, D.C. 20231

BEST AVAILABLE COPY

**REVOCATION OF ORIGINAL POWER OF ATTORNEY
AND GRANT OF NEW POWER OF ATTORNEY**

Assignee, Ube Industries, Ltd. hereby revokes all previous Powers of Attorney in the above action and hereby grants its power of attorney to:

POWER OF ATTORNEY: I hereby appoint the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number.

Customer Number: 009629

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Ube Industries, Ltd., a corporation located in Japan, certify that they are the assignees of the entire right, title and interest in the patent identified above by virtue of either:

An assignment from the inventor(s) of the patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 010945, Frame 0774, or for which a copy thereof is attached.

[] Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Ube Industries, Ltd.

Date: May 14, 2001

Name: Toshio Nagasawa

Title: Managing Director

Signature: Toshio Nagasawa

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Declaration and Power of Attorney For Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

JB-1112-07

日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

NON-AQUEOUS ELECTROLYTE AND LITHIUM SECONDARY

BATTERY USING THE SAME

上記発明の明細書（下記の欄でx印がついていない場合は、本表に添付）は、

the specification of which is attached hereto unless the following box is checked:

☐ 月 日に提出され、米国出願番号または特許協定条約国際出願番号を _____ とし、
（該当する場合） _____ に訂正されました。

☒ was filed on May 11, 2000
as United States Application Number or
PCT International Application Number
_____ and was amended on
_____ (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1条56項に定義されるとおり、特許資格の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

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Japanese Language Declaration

(日本語宣言書)

私は、米国法典第35編119条(a)-(d)項又は365条(b)項に基づき下記の、米国以外の国の少なくとも一ヶ国を指定している特許協力条約365(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

Prior Foreign Application(s)

外国での先行出願

10-132829 (Pat. Appln.) Japan

(Number)

(Country)

(番号)

(国名)

11-198351 (Pat. Appln.) Japan

(Number)

(Country)

(番号)

(国名)

私は、第35編米国法典119条(e)項に基づいて下記の米国特許出願規定に記載された権利をここに主張いたします。

(Application No.)

(Filing Date)

(出願番号)

(出願日)

私は、下記の米国法典第35編120条に基づいて下記の米国特許出願に記載された権利、又は米国を指定している特許協力条約365条(c)に基づき権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1項又は特許協力条約で規定された方法で先行する米国特許出願に開示されていない限り、その先行米国出願書提出日以降で本出願書の日本国内または特許協力条約国際提出日までの期間中に入手された、連邦規則法典第37編1条56項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

(Application No.)

(Filing Date)

(出願番号)

(出願日)

(Application No.)

(Filing Date)

(出願番号)

(出願日)

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行なえば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed

優先権主張なし

15/May/1998

(Day/Month/Year Filed)

☒

13/July/1999

(Day/Month/Year Filed)

(出願年月日)

☐

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.)

(Filing Date)

(出願番号)

(出願日)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Status: Patented, Pending, Abandoned)

(現況: 特許許可済、係属中、放棄済)

(Status: Patented, Pending, Abandoned)

(現況: 特許許可済、係属中、放棄済)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Japanese Language Declaration (日本語宣言書)

委任状: 私は下記の発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。(弁理士、または代理人の氏名及び登録番号を明記のこと)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

Milton J. Wayne, 17,906, William Moran, 19,555 and Daniel Ortiz, 25,123

書類送付先

Send Correspondence to:

BURGESS, RYAN & WAYNE
 370 Lexington Avenue, Suite 2105
 New York, NY 10017

直接電話連絡先: (名前及び電話番号)

Direct Telephone Calls to: (name and telephone number)

Mr. Milton J. Wayne
 (212) 683 8150

| | | | |
|-------------|----|---|----------------------|
| 唯一または第一発明者名 | | Full name of sole or first inventor Toshikazu Hamamoto | |
| 発明者の署名 | 日付 | Inventor's signature <i>Toshikazu Hamamoto</i> | Date May 16, 2000 |
| 住所 | | Residence Ube-shi, Yamaguchi, Japan | |
| 国籍 | | Citizenship Japanese | |
| 郵便番号 | | Post Office Address c/o Ube Chemical Factory, Ube Industries, Ltd., 1978-10, Oaza Kogushi, Ube-shi, Yamaguchi, Japan | |
| 第二共同発明者 | | Full name of second joint inventor, if any Koji Abe | |
| 第二共同発明者 | 日付 | Second inventor's signature <i>Koji Abe</i> | Date May 16, 2000 |
| 住所 | | Residence Ube-shi, Yamaguchi, Japan | |
| 国籍 | | Citizenship Japanese | |
| 郵便番号 | | Post Office Address c/o Ube Chemical Factory, Ube Industries, Ltd., 1978-10, Oaza Kogushi, Ube-shi, Yamaguchi, Japan | |

(第三以降の共同発明者についても同様に記載し、署名をすること) (Supply similar information and signature for third and subsequent joint inventors.)

| | | | |
|---------|----|---|----------------------|
| 第三共同発明者 | | Full name of third joint inventor, if any Tsutomu Takai | |
| 第三共同発明者 | 日付 | Third inventor's signature Tsutomu Takai | Date May 16, 2000 |
| 住 所 | | Residence Ube-shi, Yamaguchi, Japan | |
| 国 籍 | | Citizenship Japanese | |
| 私書箱 | | Post Office Address c/o Ube Chemical Factory, Ube Industries, Ltd., 1978-10, Oaza Kogushi, Ube-shi, Yamaguchi, Japan | |
| 第四共同発明者 | | Full name of fourth joint inventor, if any Yasuo Matsumori | |
| 第四共同発明者 | 日付 | Fourth inventor's signature Yasuo Matsumori | Date May 16, 2000 |
| 住 所 | | Residence Ube-shi, Yamaguchi, Japan | |
| 国 籍 | | Citizenship Japanese | |
| 私書箱 | | Post Office Address c/o Ube Chemical Factory, Ube Industries, Ltd., 1978-10, Oaza Kogushi, Ube-shi, Yamaguchi, Japan | |

| | | | |
|---------|----|---|------|
| 第五共同発明者 | | Full name of fifth joint inventor, if any | |
| 第五共同発明者 | 日付 | Fifth inventor's signature | Date |
| 住 所 | | Residence | |
| 国 籍 | | Citizenship | |
| 私書箱 | | Post Office Address | |
| 第六共同発明者 | | Full name of sixth joint inventor, if any | |
| 第六共同発明者 | 日付 | Sixth inventor's signature | Date |
| 住 所 | | Residence | |
| 国 籍 | | Citizenship | |
| 私書箱 | | Post Office Address | |

(第七以降の共同発明者についても同様に
記載し、署名をすること)

(Supply similar information and signature for
seventh and subsequent joint inventors.)



UNITED STATES DEPARTMENT OF COMMERCE
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ASSISTANT SECRETARY AND COMMISSIONER
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MILTON J. WAYNE

370 LEXINGTON AVENUE, SUITE 2105
NEW YORK, NEW YORK 10017

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BURGESS, RYAN & WAYNE

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RECORDATION DATE: 07/24/2000

REEL/FRAME: 010945/0774

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HAMAMOTO, TOSHIKAZU

DOC DATE: 05/16/2000

ASSIGNOR:

ABE, KOJI

DOC DATE: 05/16/2000

ASSIGNOR:

TAKAI, TSUTOMU

DOC DATE: 05/16/2000

ASSIGNOR:

MATSUMORI, YASUO

DOC DATE: 05/16/2000

ASSIGNEE:

UBE INDUSTRIES, LTD.
12-32, NISHIHONMACHI 1-CHOME, UBE-
SHI
YAMAGUCHI, JAPAN

SERIAL NUMBER: 09569185

FILING DATE: 05/11/2000

PATENT NUMBER:

ISSUE DATE:

07-31-2000

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.
U-Wp-5529 Aoki



101418203

original documents or copy thereof

the Honorable Commissioner of Patents a

1. Name of conveying party(ies):
Toshikazu HAMAMOTO, Koji ABE, Tsutomu TAKAI
and Yasuo MATSUMORI, all Japanese citizens

2. Name and address of receiving party(ies)
Name: Ube Industries, Ltd.

Internal Address:
12-32, Nishihonmachi 1-chome, Ube-shi
Yamaguchi, JAPAN

Street Address: Same as Above

City: _____ State: _____ Zip: _____

Additional name(s) & address(es) attached? ☐ yes ☒ no

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: May 16, 2000

4. Application number(s) or patent number(s): **09/569,185**

If this document is being filed together with a new application, the execution date of the application is : _____

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ yes ☒ no

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Burgess, Ryan & Wayne

Internal Address: _____

Street Address: 370 Lexington Avenue

Suite 2105

City: New York State: NY Zip: 10017

6. Total number of applications and patents involved **1**

7. Total fee (37 CFR 3.41).....\$40.00

☒ Enclosed

☒ Authorized to be charged to deposit account
any additional fees and/or overpayments

8. Deposit account number:

02-4743

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Milton J. Wayne

Name of Person Signing

Milton J. Wayne

Signature

July 20, 2000

Date

Total number of pages including cover sheet, attachments, and document: **2**

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments

Washington, D.C. 20231

U.S. ASSIGNMENT

IN CONSIDERATION of the sum of One Dollar (\$1.00), and of other good and valuable consideration paid to the undersigned inventor(s) (hereinafter "ASSIGNOR") by
Ube Industries, Ltd.

(Insert
ASSIGNEE's
Name(s)
Address(es))

12-32, Nishihonmachi 1-chome, Ube-shi, Yamaguchi, Japan

(hereinafter "ASSIGNEE"), the receipt of which is hereby acknowledged, the undersigned ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE the entire and exclusive right, title and interest to the invention entitled

(Title of
Invention)

NON-AQUEOUS ELECTROLYTE AND LITHIUM SECONDARY BATTERY USING THE SAME

relating to International Patent Application PCT/JP _____/_____ and/or for which application for Letters Patent of the United States was executed on even date herewith or, if not so executed, was:

(Insert date
of execution
of application,
if not
concurrent)

(a) executed on _____;
(b) filed on May 11, 2000,
Serial No. _____;

Burgess, Ryan and Wayne,
New York

_____) is hereby authorized to insert in (b) the specified
data, when known.

and to said application and all Letters Patent(s) of the United States granted on said application and any continuation, division, renewal, substitute, reissue or reexamination application based thereon, for the full term or terms for which the said Letters Patent(s) may be granted and including any extensions thereof (collectively, hereinafter, "said application(s) and Letters Patent(s)").

The ASSIGNOR agree(s), when requested by said ASSIGNEE and without charge to but at the expense of said ASSIGNEE, to do all acts which the ASSIGNEE may deem necessary, desirable or expedient, for securing, maintaining and enforcing protection for said invention, including in the preparation and prosecution of said application(s) and the issuance of said Letters Patent(s), in any interference, reissue, reexamination, or public use proceeding, and in any litigation or other legal proceeding which may arise or be declared in relation to same, such acts to include but not be limited to executing all papers, including separate assignments and declarations, taking all rightful oaths, providing sworn testimony, and obtaining and producing evidence.

IN WITNESS WHEREOF, the undersigned inventor(s) has (have) affixed his/her/their signature(s).

(Signatures)

| | | |
|---|-----------------------------------|------------------------|
| 1) <u>Toshikazu Hamamoto</u> (SIGNATURE) | Toshikazu Hamamoto (TYPE NAME) | May 16, 2000 (DATE) |
| 2) <u>Koji Abe</u> (SIGNATURE) | Koji Abe (TYPE NAME) | May 16, 2000 (DATE) |
| 3) <u>Tsutomu Takai</u> (SIGNATURE) | Tsutomu Takai (TYPE NAME) | May 16, 2000 (DATE) |
| 4) <u>Yasuo Matsumori</u> (SIGNATURE) | Yasuo Matsumori (TYPE NAME) | May 16, 2000 (DATE) |
| 5) _____ (SIGNATURE) | _____ (TYPE NAME) | _____ (DATE) |